

Remarks

Claims 1-9 of the present application are currently pending. In the Office Action mailed July 18, 2003, claims 1-9 stand rejected. In this Amendment, claim 5 has been amended. For the reason set forth below, the Applicant respectfully traverses the rejections and submits that all pending claims are in condition for allowance and allowance of the application is respectfully requested.

Claim 5 stands rejected under 35 U.S.C. §102(e) as being anticipated by United States Patent No. 6,249,913, issued to Galipeau (hereinafter Galipeau). For a reference to anticipate a claim under 35 USC §102 the reference must teach every element of the claimed invention. (see MPEP §2131). Claim 5 of the present application, as amended, is directed to a modular multi media communication network for a passenger vehicle and includes a plurality of display devices disposed in locations separate from each other and including at least a control processor, a local memory storage area and a graphical display screen, a local area network signal bus interconnecting each of the plurality of display devices wherein each of the plurality of display devices cooperating over the local area network define a distributed server local area network architecture, and a communication management unit, coupled to the network signal bus, the communication management unit further coupled to multiple bi-directional communication interface devices, each communication interface device effecting real-time communication with a different one of a multiplicity of substantially incompatible signal sources.

Galipeau discloses an aircraft data management system and includes a plurality of data sources, at least one power supply, an integrated seat box positioned proximate to a group of seats, a data network interface module coupled to the integrated seat box, a network controller capable of managing the plurality of data sources, and a seat-to-seat cable connecting the network controller and the seats. The Galipeau reference fails to teach or suggest a local area network signal bus interconnecting each of the plurality of display devices wherein each of the plurality of display devices cooperating

over the local area network define a distributed server local area network architecture. As a result, Galipeau fails to teach every element of the claimed invention as required by MPEP §2131. In light of the foregoing, the Applicant respectfully submits that claim 5 of the present application is patentable over Galipeau.

Claims 1-4 and 7-9 stand rejected under 35 U.S.C. §103(a) over Galipeau in view of U.S. Patent No. 5,630,067 issued to Kindell et al. (hereinafter Kindell). Claim 28 has been cancelled and claims 20, 29 and 30 have been amended. The Applicant respectfully traverses the rejection.

To establish a prima facie case of obviousness, the Examiner must meet three basic criteria. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine the reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. (see MPEP §2143.03).

Independent claim 1 is directed to a multi media communications network for a passenger vehicle and recites a plurality of display devices each including at least a control processor, a local memory storage area and a display, a local area network including a serial wiring harness interconnecting each of the plurality of display devices, wherein each of the plurality of display devices is configured to include a server device portion and a client device portion, each of the plurality of display devices cooperating over the local area network so as to define a distributed server local area network architecture.

Independent claim 7 is directed to a modular multi media communication network for a passenger vehicle and recited a plurality of display devices, each display device disposed in a location separate from other ones of the plurality of display devices, each display device including at least a control processor, a local memory storage area and a

graphical display screen, a local area network signal bus interconnecting each of the plurality of display devices, a communication management unit, coupled to the network signal bus, the communication management unit further coupled to multiple bi-directional communication interface devices, each communication interface device effecting real-time communication with a different one of a multiplicity of substantially incompatible signal sources, and wherein each of the plurality of display devices is configured to function as a network server, each of the plurality of display devices cooperating over the local area network signal bus so as to define a distributed server local area network architecture.

As stated above, the Galipeau reference fails to teach or suggest a local area network signal bus interconnecting each of the plurality of display devices wherein each of the plurality of display devices cooperating over the local area network define a distributed server local area network architecture. As a result, Galipeau fails to teach every element of the claimed invention.

Kindell is directed to a system for the management of multiple time-critical data streams and recites a computer network, a plurality of computers connected to the network and each having attached thereto at least one storage device, at least one viewing station, a viewing device, and a buffer device, a client device in each of the plurality of computers for retrieving a video clip from the local storage device, a server device in each of the plurality of computers, monitoring device cooperating with the server devices for monitoring the buffer device, and a controlling device for limiting the maximum retrieval capacity of video clips stored in the buffer device. As such, Kindell is directed solely to the distribution of video clips across a network.

In the Office Action the Examiner stated "it would have been obvious to one of ordinary skill in the art at the time the invention was made to replace Galipeau et al's client server architecture to Kindell et al's distributed client-server architecture."

The Applicant respectfully submits the Examiner has failed to show a motivation to combine the references. The fact that the references can be combined or modified is not sufficient to establish *prima facie* obviousness. (See MPEP 2143.04). Galipeau is directed to an aircraft data management system. In contrast, Kindell never mentions use on or in conjunction with any passenger conveyance. The Applicant respectfully submits that the Examiner has failed to show a motivation to combine the cited references to create the device recited in claims 32-36 and 41-50.

Rather the Applicant submits that the Examiner has used impermissible hindsight to recreate the invention. "To prevent the use of hindsight based on the invention to defeat patentability of the invention, this court requires the examiner to show a motivation to combine the references that create the case of obviousness. In other words, the examiner must show reasons that the skilled artisan, confronted with the same problems as the inventor and with no knowledge of the claimed invention, would select the elements from the cited prior art references for combination in the manner claimed." *In re Rouffet*, 47 USPQ2d 1453 (Fed. Cir. 1998) "Combining prior art references without evidence of such a suggestion, teaching, or motivation simply takes the inventor's disclosure as a blueprint for piecing together the prior art to defeat patentability--the essence of hindsight." *In re Dembicza*k, 50 USPQ2d 1614 (Fed. Cir. 1999) The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on the applicant's disclosure." *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991). Thus, "[o]ne cannot use hindsight reconstruction to pick and choose among isolated disclosures in the prior art to deprecate the claimed invention." *In re Fritch*, 23 USPQ2d 1780, 1784 (Fed. Cir. 1992).

In light of the foregoing, the Applicant respectfully submits that claims 1 and 7 are patentable over Galipeau in view of Kindell. For at least the same reasons, claims 2-4, 8, and 9, which depend on claims 1 and 7, respectively are also patentable.

Claim 6 stands rejected under 35 U.S.C. §103(a) over Galipeau in view of U.S. Patent No. 6,249,913 issued to Hadinger. The Applicant respectfully traverses the rejection.

Hadinger is directed to satellite multimedia delivery to vehicles and recites a first antenna configured to receive first carrier signals carrying first data from said broadband geostationary satellite, a first demodulator connected to the first antenna and configured to demodulate the first carrier signals to generate first data signals, a second antenna configured to receive second carrier signals carrying second data from the narrowband satellite, a second demodulator connected to the second antenna and configured to demodulate the second carrier signals to generate second data signals, a source of third data signals embodying third data, a modulator responsive to the third data signals for generating third carrier signals carrying the third data for transmission by the second antenna, a first utilization system configured to utilize the first data, a second utilization system configured to utilize the second data, and a router connected to route the first data signals to the first utilization system, to route the second data signals to the second utilization system and to route the third data signals to the modulator.

The rejections to dependent claim 6, which depends on claim 5, must fail for at least the same reasons as set forth in the traversal of claim 5 under 35 U.S.C. §102 above. In short, Hadinger fails to disclose or suggest the elements of independent claim 5 and, therefore, fail as primary references at the outset. More specifically, Hadinger fails to teach or suggest a distributed server architecture as disclosed in claim 5 of the preset application. Therefore, the Applicant respectfully submits that claim 6, which is dependent on claim 5, is in condition for allowance.

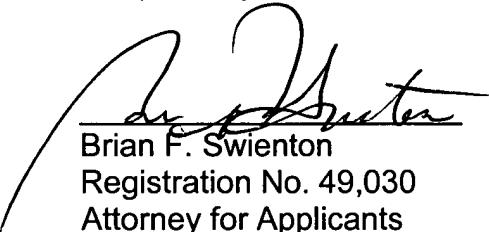
In view of the foregoing, Applicant believes that the pending claims are in condition of allowance. Reconsideration and early allowance are respectfully and sincerely requested.

If it is felt for any reason that direct communication with Applicant's attorney would serve to advance prosecution of this case to finality, the Examiner is invited to call the undersigned attorney at the below listed telephone number.

The Commissioner is hereby authorized to charge for any additional filing fees or credit any overpayment to Deposit Account No. 50-1329. A duplicate copy of this sheet is attached.

Respectfully submitted,

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